IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA, 1928

WP(C).No. 271 of 2007(G)

PETITIONER:

P.V.JAYANTHI, M/S SCR ENTERPRISES,
BALUSSERRY, KOZHIKODE.

BY ADV. SRI.B.V.JOY SANKER

RESPONDENTS:

1. DEPUTY COMMISSIONER (APPEALS),
   COMMERCIAL TAX DEPARTMENT, KOZHIKODE.

2. THE SALES TAX OFFICER,
   KOYILANDI.

3. DEPUTY TAHASILDAR,
   REVENUE RECOVERY, VATAKARA, KOZHIKODE.

BY GOVT.PLEADER SRI SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C).NO.271 OF 2007

Dated this the 3rd day of January, 2007

JUDGMENT

As against Ext.P1 assessment order under the CST Act for the assessment year 2003-04 the petitioner has preferred Ext.P2 appeal along with stay application before the Deputy Commissioner (Appeals), the lst respondent herein. But the stay application is not yet disposed of. In the meantime, revenue recovery proceedings were initiated as per Ext.P4. Hence, this writ petition.

2. Heard both sides.

3. In the facts and circumstances of the case, there will be a direction to the lst respondent to consider the stay application and dispose of the same, as expeditiously as possible, at any rate within a period of one

month from today. Till then further proceedings pursuant to Ext.P4 will be kept in abeyance and thereafter the matter may be governed by any orders that may be passed by the Appellate Authority.

Writ Petition is disposed of as above.

Petitioner shall produce a copy of this judgment before the Appellate Authority for information and compliance.

P.R.RAMAN,
JUDGE.

kcv.